

## Message Text

UNCLASSIFIED

PAGE 01 STATE 232349

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ORIGIN L-02

INFO OCT-01 EUR-08 IO-04 ISO-00 CIAE-00 COME-00 DODE-00

DOT-00 EB-04 FMC-01 INR-05 NSAE-00 RSC-01 CG-00

COA-01 DLOS-03 SWF-01 SS-15 NSC-05 OIC-01 AID-05

CEA-01 EA-06 FRB-01 NEA-06 OPIC-03 SP-02 TRSE-00

CIEP-01 LAB-01 SIL-01 OMB-01 /080 R

DRAFTED BY L/EB:FWILLIS:EW

APPROVED BY EB/TT/MA:JPSTEINMETZ

FMC: WJSMITH

DOT:PLARSEN/WDRISCOLL

COM/BIC:SJOHNSON

MARAD:BCOLLINS

EUR/RPE:JTARRANT

DOT:RREDDING (INFO)

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FM SECSTATE WASHDC

TO USMISSION OECD PARIS PRIORITY

INFO USMISSION GENEVA

UNCLAS STATE 232349

E.O. 11652:N/A

TAGS: EWWT, OECD, UNCTAD

SUBJECT: OECD/MTC WORKING GROUP ON CONTAINER TRANSPORT,  
OCT. 23-24, 1974

FOLLOWING IS GUIDANCE FOR U.S. DEL TO SUBJECT OECD MEETING:

1. U.S. REPRESENTATIVE SHOULD BE PREPARED TO DESCRIBE, IN  
GENERAL TERMS ONLY, THE PROPOSED BASIC U.S. POSITION FOR  
THE UPCOMING UNCTAD IPG SECOND SESSION ON INTERMODAL TRANS-  
UNCLASSIFIED

UNCLASSIFIED

PAGE 02 STATE 232349

PORT, AS FOLLOWS:

A. U.S. BELIEVES AN INTERNATIONAL CONVENTION COVERING ASPECTS OF MULTIMODAL TRANSPORT WOULD BE DESIRABLE AND SHOULD BE CONCLUDED OVER THE SHORTEST TIME-FRAME POSSIBLE;

B. DEPENDING ON DEVELOPMENTS AT THE SECOND SESSION, THE MOST RAPID CONSIDERATION POSSIBLE WOULD APPEAR TO INCLUDE U.S. SUPPORT FOR THE SECRETARIAT'S PROPOSED SCHEDULING OF THE THIRD SESSION IN THE LAST HALF OF JULY 1975, AND A DIPLOMATIC CONFERENCE SOMETIME IN 1976 DEPENDING ON ACHIEVEMENTS AT THIRD SESSION;

C. PROPOSED CONVENTION SHOULD BE VERY LIMITED IN SCOPE, COVERING MINIMUM ISSUES NECESSARY TO ESCAPE BOTTLENECKS HINDERING DEVELOPMENT OF INTERNATIONAL MULTIMODAL TRANSPORT; IN PARTICULAR, IT SHOULD BE LIMITED TO LIABILITY AND DOCUMENTATION RULES, AND NOT COVER, FOR EXAMPLE, CUSTOMS QUESTIONS OR REGULATIONS OF PUBLIC LAW ISSUES SUCH AS LICENSING OF MTO'S;

D. COMMENT ON SUBSTANTIVE LIABILITY ASPECTS OF PROPOSED CONVENTION SHOULD BE CIRCUMSPECT. U.S. REP MAY INDICATE U.S. IS CONSIDERING FEASIBILITY OF UNIFORM LIABILITY SYSTEM WITH FEW DEFENSES. HOWEVER, UNCTAD DOCUMENTATION, JUST RECEIVED, HAS YET TO BE EVALUATED IN CONJUNCTION WITH ONGOING DOMESTIC INVESTIGATIONS OF LIABILITY QUESTION.

E. IF APPROPRIATE, U.S. REP MAY ADVANCE CONTINUED SUPPORT FOR CANZUS PROPOSAL SUBMITTED ONE YEAR AGO TO FIRST IPG SESSION--NAMELY THAT IDEAS SUBMITTED THEREIN SHOULD BE STUDIED AS A PACKAGE AS A POSSIBLE APPROACH TO A CONVENTION ON MULTIMODAL TRANSPORT.

2. WITH RESPECT TO ORGANIZATION OF WORK AT SECOND SESSION, U.S. WOULD SUPPORT:

A. DIVISION OF IPG INTO TWO COMMITTEES AT EARLIEST MOMENT POSSIBLE, FOR AS LONG A TIME AS POSSIBLE, AND OTHERWISE TO SECURE MAXIMUM USE OF MEETING ROOMS AND TRANSPORTATION FACILITIES;

UNCLASSIFIED

PAGE 03 STATE 232349

LATION FACILITIES;

B. INTENSIFIED STUDY IN ONE GROUP OF LIABILITY QUESTIONS AND, PREFERABLY, DOCUMENTATION IN THE OTHER, WITH AS LITTLE TIME AS POSSIBLE DEVOTED TO OTHER ISSUES SUCH AS CUSTOMS; ALTERNATIVELY, LIABILITY AND DOCUMENTATION QUESTIONS AND ISSUES RELATED TO A CONVENTION RESTRICTED TO SUCH SUBJECTS IN ONE GROUP AND OTHER ISSUES IN THE

OTHER;

C. ESTABLISHMENT OF DRAFTING GROUP AT EARLIEST STAGE POSSIBLE TO BEGIN PREPARATION OF DRAFT ARTICLES, INCLUDING ALTERNATIVE APPROACHES, TO BE AVAILABLE FOR STUDY DURING INTERIM BETWEEN SECOND AND THIRD SESSIONS IF NOT AT SECOND SESSION ITSELF, WHICH PRESUMABLY WILL NOT GET BEYOND ANALYSIS OF SECRETARIAT PAPERS.

3. CONSISTENT WITH FOREGOING, U.S. REP SHOULD BE PREPARED TO JOIN GROUP B MAJORITIES ON QUESTION OF ORGANIZATION OF WORK AT SECOND SESSION, IPG WORK PROGRAM, AND SUBSTANTIVE MATTERS.

4. U.S. REP WILLIS REQUESTED TO TELEPHONE DOT/REDDING (202-426-4710) PRIOR TO COMMENCEMENT AFTERNOON MTC SESSION, WEDNESDAY, OCTOBER 23 FOR UP-DATE ON CARGO LIABILITY STUDY. KISSINGER

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